

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

KRAFT FOODS GLOBAL, INC., THE)
KELLOGG COMPANY, GENERAL)
MILLS, INC., and NESTLÉ USA, INC.,)
)
Plaintiffs,) No. 1:11-cv-08808
)
v.) Judge Charles R. Norgle
)
UNITED EGG PRODUCERS, INC.,)
UNITED STATES EGG MARKETERS,)
INC., CAL-MAINE FOODS, INC.,)
MICHAEL FOODS INC., and ROSE ACRE)
F FARMS, INC.)
)
Defendants.)

PLAINTIFFS' MOTION TO FILE OVERSIZED MEMORANDUM

Kraft Foods Global, Inc., The Kellogg Company, General Mills, Inc., and Nestlé USA, Inc. (collectively “Plaintiffs”), by their attorneys, move this Court for permission to file an oversized memorandum in support of their Motion in Limine Number 1. In support of this motion, Plaintiffs state as follows:

1. By order dated May 2, 2022, Dkt. 143, this Court directed the parties to file their motions in limine on or before August 26, 2022.
2. Plaintiffs have prepared an omnibus motion in limine identifying eight separate categories of evidence the Plaintiffs contend should be excluded or limited at trial. Plaintiffs have prepared separate legal memoranda of varying length supporting the exclusion of each class of evidence.
3. Rather than include a lengthy statement of facts relevant to every motion in limine in each of the supporting memoranda, Plaintiffs prepared a statement of facts common to all motions in limine and included that statement of facts in Motion in Limine Number 1. All of the

other memoranda in support of motions in limine reference the common statement of facts in Motion in Limine Number 1 and recite only such additional facts as are necessary to frame the motion in limine. As a consequence, Plaintiffs' memorandum in support of their Motion in Limine Number 1 is 20 pages.

4. All of the other memoranda in support of the motions in limine are less than 15 pages.

5. Plaintiffs seek leave of Court to an oversize memorandum in support of Motion in Limine Number 1. Plaintiffs' counsel state in their professional judgment that it was important to provide the background fact for the Court's consideration of all of the motions and it was not possible to set forth all of those common facts and address the issues in the motion in limine in 15 pages or less.

WHEREFORE, Plaintiffs respectfully request the Court to grant leave to file an oversize memorandum in support of Motion in Limine Number 1.

August 26, 2022

Respectfully submitted,

*Counsel for Plaintiffs Kraft Foods Global, Inc.,
General Mills, Inc., Nestlè USA, Inc. and The
Kellogg Company*

/s/ Brandon D. Fox

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